

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 4:07CR61**

**JAMES KENNY TERRY**

**ORDER**

This cause is before the Court on the defendant's Motion for Judgment of Acquittal or New Trial [25]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motion is not well-taken and should be denied. Defendant premises his motion on a purported lack of evidence to suggest a previous intent or purpose to commit an offense of the character charged absent the inducement or persuasion of the government's confidential informant. In addition, the defendant contends that the jury's verdict was not only contrary to the overwhelming weight of the evidence, but also contrary to the instructions given by the Court at the close of the trial. Having considered the grounds so stated and being firmly convinced that the evidence was sufficient to support the jury's verdict,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion for Judgment of Acquittal or New Trial [25] is not well-taken and should be, and hereby is, DENIED.

SO ORDERED, this the 1<sup>st</sup> day of October, 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE